

**ENTERED**

July 28, 2016

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

FERNANDO GUADALUPE MAGANA-SOSA, §  
Petitioner, §  
V. §  
UNITED STATES OF AMERICA §  
Respondent. §


CIVIL ACTION NO. B-16-019  
CRIMINAL NO. B-14-534-1

**ORDER**

Pending is the Magistrate Judge's June 23, 2016, Report and Recommendation in the above-referenced cause of action. [Doc. No. 8] No objections have been lodged by either side and the time for doing so has expired.

Having reviewed all of the pleadings and the Report and Recommendation for plain error and having found none, it is the opinion of the Court that the Magistrate Judge's Report and Recommendation [Doc. No. 8] is hereby adopted. Therefore, it is ordered that Petitioner Fernando Guadalupe Magana-Sosa's Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255 [Doc. No. 1] is dismissed and the issuance of a Certificate of Appealability is denied.

Signed this 28<sup>th</sup> day of July, 2016.



Andrew S. Hanen  
United States District Judge